

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2009 JUN 22 PM 1:15

CLERK *m. Jones*  
SO. DIST. OF GA.

DAVID RICHARD SUTHERLAND,

Petitioner,

v.

CASE NO. CV409-060

BERRY GOODRICH,

Respondent.

O R D E R

Before the Court is the Magistrate Judge's Report and Recommendation (Doc. 3), to which no objections have been filed. After a careful de novo review, the Court concurs with the Magistrate Judge's Report and Recommendation. Accordingly, the Report and Recommendation is **ADOPTED** as the Opinion of this Court. The Habeas Petition is **DISMISSED WITHOUT PREJUDICE**, and the Clerk of Court is **DIRECTED** to **CLOSE** this case.

SO ORDERED this 22<sup>nd</sup> day of June, 2009.

*William T. Moore, Jr.*  
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WILLIAM T. MOORE, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA